

REMARKS

Applicants have considered the outstanding official action. It is respectfully submitted that the claims are directed to patentable subject matter and are in condition for allowance as set forth below.

Applicants advise that an Information Disclosure Statement is being filed concurrently herewith submitting Japanese Patent No. 6-135604 and U.S. Patent Application Publication Nos. 2006/0169733 A1 and 2009/0039195 A1.

Further, applicants note that claims 67, 72-73, 75, 110 and 112-113 have been amended. Support is present in the specification, e.g., at page 8, line 31 to page 9, line 3 and page 9, lines 20-24. Further, claim 77, while withdrawn based on the species election, was amended to conform to the amendment in base claim 73..

The outstanding rejections are as follows:

- (1) Claims 67-71, 86-87 and 110-111 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,979,818 (Perini); and
- (2) Claims 72-75, 112-117 and 124 under 35 U.S.C. §103(a) over Perini in view of U.S. Patent No. 5,137,225 (Biagiotti).

Claims 67 and 110 are the pending independent claims.

Claim 67 claims a rewinding machine for winding a web material into logs comprising a feed path for feeding web material towards a winding system; an interruption member to interrupt the web material at an end of winding of a log; and a core feeder to sequentially insert winding cores in a channel. The channel is defined by a rolling surface and a movable core feed member constructed and arranged so that when a core is inserted in the channel the web material is between the core and the feed member and in contact with the feed member. The feed path extends along the channel. The interruption member is associated with the feed member and the interruption member is arranged on a side of the feed path opposite the rolling surface and positioned at least partly on an opposite side of the feed member with respect to the channel to act on the web material through the feed member. The interruption member is also timed to operate when the web material is to be severed.

Claim 110 claims a method for producing logs of wound web material. A web material is fed to a winding system along a feed path extending along a channel defined

between a rolling surface and a movable core feed member. A first log of web material is wound around a first winding core. A new winding core is inserted in the channel and the core is fed along the channel with the web material between the core and the feed member. The web material is interrupted at an end of winding of the first log forming a final free edge of the first log and an initial free edge for winding of a second log. The web material is interrupted by an interruption member which is activated at predetermined times to act on the web material along the channel on a side of the feed path opposite the rolling surface across the feed member.

Perini discloses a rewinding machine for forming logs of web material having material-severing means 43 on rotary unit 41. Severing means 43 cooperates with roller 15 along channel 39 between a region of insertion of a new core and nip 19 to exert a pressure against a surface of roller 15 to tear the web.

In rejecting claims 67-71, 86-87 and 110-111 over Perini, the Examiner states that surface 154 (see Figure 13) of Perini is an "interruption member" as claimed by applicants. However, this is not correct. Applicants' claimed interruption member causes interruption of the web

material. In Perini, severing means 43 on rotary unit 41 causes interruption of the web, not surface 154. Rather, surface 154 is a counteracting stationary surface which the belts 150 contact to prevent flexural deformation of belts 150 when severing means 43 contacts the web. (See column 9, line 66 to column 10, line 15). For example, if surface 154 was removed from the machine of Perini, the web would still be interrupted by severing means 43. Removing surface 154 would only possibly reduce the reliability and efficiency of the device. However, if severing means 43 was removed from the machine of Perini, the web material would not be interrupted or torn. Rather, the web material would continue to travel undisturbed along surface 154.

In Perini, the web is torn when its advancement is obstructed by severing means 43, which moves at a slower speed than the web. Therefore, severing means 43 slows down a portion of the web causing interruption and tensioning between the contact point and a completed log L. Thus, the web is torn. Without severing means 43, the web is not torn.

In Perini, surface 154 prevents too large of flexural deformation of the lower belts 150 from the force by severing means 43. Further, surface 154 may be made of a

6729/PCT/USSN 10/581,725
Group Art Unit 3654

material having a low coefficient of friction to facilitate sliding of the belts. Accordingly, surface 154 is a passive member which continuously contacts the web, but alone, has no tearing effect thereon. Rather, the web is interrupted and severed by severing means 43. Further, applicants' claimed interruption member is activated when the web is to be severed, unlike surface 154 of Perini which is continuously present.

Accordingly, Perini does not disclose an interruption member as claimed by applicants. As such, Perini does not teach each and every element of the claimed rewinding machine and claimed method and, thus, does not anticipate claims 67-71, 86-87 and 110-111 within the meaning of 35 U.S.C. §102(b). Withdrawal of the §102 rejection is respectfully requested.

Perini is also applied in combination with Biagiotti to reject dependent claims 72-75, 112-117 and 124 under 35 U.S.C. §103(a). Biagiotti is relied on for disclosing the additional limitations of these dependent claims. However, Biagiotti does not make up for the shortcomings of Perini as set forth above.

Particularly, the Examiner relies on suction box 120 of Biagiotti and states that it "would have been obvious

to one having ordinary skill in the art at the time the invention was made to modify the interruption member of Perini '818 by using a suction member as taught by Biagiotti '225..." Applicants respectfully disagree. Biagiotti discloses surface 52 along which the web slides and against which the web is pinched by core A1 to tear the web. Biagiotti also discloses that suction box 120 is arranged upstream of surface 52. (See Figure 9). Suction box 120 prevents slackening of the web since a slight vacuum is maintained in box 120 by a fan. (See column 7, line 55 to column 8, line 6).

More particularly, in Biagiotti, the web is torn by pinching the core against stationary surface 52. This pinching causes an abrupt slowing down of the web such that the web tears downstream of the pinched point. Since the web continues to be fed at a constant speed upstream of the pinch point, the web slackens. Thus, the slackened web portion is sucked into suction box 120 so that tension remains on the web, thereby preventing wrinkles and slackening of the web upstream of suction box 120. Following tearing, the web is recovered from suction box 120. Accordingly, Biagiotti does not disclose that suction is used to tear the web, but rather is used only to recover

6729/PCT/USSN 10/581,725
Group Art Unit 3654

a slackened web portion after tearing thereof. Thus, it would not have been obvious to one skilled in the art to remove and replace surface 154 of Perini with suction box 120 of Biagiotti.

Further, applicants' claimed device and method require that the interruption member is a suction member which applies a force on the web material to obstruct feed of the web material. This is not the case in Biagiotti since suction box 120 is not an interruption member as set forth above. Rather, in Biagiotti, stationary surface 52 in combination with core A1 interrupts the web, while suction box 120 only prevents slackening of the web upstream of the box and does not have any tearing effect on the web. Thus, if core A1 was not introduced into the machine of Biagiotti, the web would not tear.

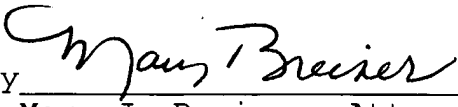
Accordingly, Perini in view of Biagiotti does not render the applicants' invention as claimed obvious within the meaning of 35 U.S.C. §103(a). Withdrawal of the §103 rejection is respectfully requested.

Reconsideration and allowance of the claims are respectfully urged.

6729/PCT/USSN 10/581,725
Group Art Unit 3654

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